

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES DEPARTMENT OF	:	
HEALTH AND HUMAN SERVICES,	:	
	:	
Plaintiff,	:	
	:	Civil Action No. 05-809
v.	:	
	:	
SOUTHERN DELAWARE CENTER	:	
FOR CHILDREN AND FAMILIES, INC.	:	
FRANCIS A. OGUNDARE, CAROLYN	:	
WILLIAMS, REVEREND LEON	:	
WILLIAMS, WILLIAM B. DUFFY,	:	
WALLACE F. HANDY, KATHERINE	:	
H. LEWIS, DEBORAH WASHINGTON	:	
and ROSAMAE I. SMITH,	:	
	:	
Defendants.	:	

STATUS REPORT

COMES NOW, Colm F. Connolly, United States Attorney, by and through Seth M. Beausang, Assistant United States Attorney, attorneys for Plaintiff, and submits the following status report to the Court:

Plaintiff's Complaint was filed November 22, 2005 against the Defendants seeking (1) replevin of certain personal property owned by Plaintiff and wrongfully possessed by Defendants; (2) possession of certain real property owned by Plaintiff and wrongfully possessed by Defendants; (3) various declaratory judgments; and (4) damages for unjust enrichment. None of the Defendants ever answered the Complaint. On December 7, 2005, upon the Plaintiff's motion, the Court entered a preliminary injunction ordering the Defendants to turn over possession of certain real and personal property to the Plaintiff. Although some real and personal property was eventually turned over, Plaintiff cannot be certain that all the personal property was

turned over.

At this time, Plaintiff is in the process of investigating whether all its property has been turned over by the Defendants. Also, Plaintiff is investigating whether Defendants have money – in a sufficient amount to make litigation worthwhile – that should be returned to Plaintiff as damages for unjust enrichment. That investigation has involved obtaining financial documents by subpoena and interviewing witnesses. Plaintiff expects to complete its investigation and make a determination whether to proceed with this action within the next sixty (60) days. Accordingly, Plaintiff respectfully submits that this action should be stayed for the next sixty (60) days. At the conclusion of this brief stay, Plaintiff will notify the Court either that it wishes to proceed with this action, or Plaintiff will voluntarily dismiss the Complaint. A proposed Order is filed herewith.

Counsel is available at the call of the Court to address any questions or concerns.

DATED: February 23, 2007

Respectfully Submitted,

Colm F. Connolly
United States Attorney

By: /s/ Seth M. Beausang
Seth M. Beausang (I.D. No. 4071)
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CERTIFICATE OF SERVICE

I, Seth M. Beausang, hereby attest under penalty of perjury that on this 23rd day of February, 2007, I directed that a copy of the United States' Status Report and Proposed Order be served on the following defendants by First Class Mail:

Carolyn D. Williams (on behalf of Southern Delaware Center for Children and Families, Inc.)
24143 King Road
Seaford, DE 19973

Francis A. Ogundare
14245 Shiloh Church Road
Laurel, DE 19956

Reverend Leon Williams
209 N. North Street
Seaford, DE 19973

William B. Duffy
29494 Millsboro Highway
Millsboro, DE 19966

Wallace F. Handy
31732 Old Stage Road
Laurel, DE 19956

Katherine H. Lewis
6754 Seashore Highway
Bridgeville, DE 19933

Deborah Washington
10 Church Street
Bridgeville, DE 19933

Rosamae I. Smith
4574 White Deer Road
Delmar, DE 19940

/s/ Seth M. Beausang
Seth M. Beausang (DE I.D. No. 4071)